

Amendments to the Claims

Claim 37 (currently amended): A ~~pesticidal~~ composition comprising at lease one of (i) cells, a proteinaceous material obtainable from a *Xenorhabdus nematophilus* species and into which is encoded by the a nucleotide sequence of Figure 2 (SEQ ID No 1) have been introduced and (ii) a cellular extract from said cells, said proteinaceous material cells and cellular extract having toxic activity when administered orally to an insect.

Claim 38-41 (cancelled)

Claim 42 (previously presented): A composition according to claim 37 which comprises a further pesticidal material not obtainable from *Xenorhabdus*.

Claim 43 (previously presented): A composition according to claim 42 wherein the said further pesticidal material comprises a material obtainable from *B. thuringiensis*.

Claim 44 (previously presented): A composition according to claim 43 which further comprises cells of *B. thuringiensis*.

Claim 45 (previously presented): A composition according to claim 44 wherein the pesticidal material obtainable from *B. thuringiensis* comprises the delta endotoxin.

Claim 46 (previously presented): A composition according to

BEST AVAILABLE COPY

claim 37 which further comprises an agriculturally acceptable carrier.

Claim 47 (previously presented): A composition according to claim 46, wherein the carrier comprises items of insect diet.

Claim 48 (previously presented): A method for killing or controlling insect pests, which method comprises administering to a pest or the environment thereof a composition according to claim 37.

Claim 49 (previously presented): A method according to claim 48, wherein the pests are insects from the order Lepidoptera or Diptera.

Claim 50 (previously presented): A method for killing or controlling insect pests, which method comprises administering orally to the insect a composition according to claim 37.

Claim 51 (withdrawn) A method for killing or controlling insect pests, which method comprises administering orally to a pest a microorganism composition comprising *Xenorhabdus* strain NCIMB 40886, strain NCIMB 40887, or strain ATCC 19061, or the supernatant taken from cultures of any of said strains.

Claim 52 (withdrawn) A method as claimed in claim 51, wherein the pests are insects from the order Lepidoptera or Diptera.

BEST AVAILABLE COPY

Claim 53 (withdrawn) A method as claimed in claim 51, wherein the composition comprises a further pesticidal material not obtainable from *Xenorhabdus*.

Claim 54 (withdrawn) A method as claimed in claim 53, wherein the said further pesticidal material comprises a material obtainable from *B. thuringiensis*.

Claim 55 (withdrawn) A method as claimed in claim 54, wherein the composition further comprises cells of *B. thuringiensis*.

Claim 56 (withdrawn) A method as claimed in claim 54, wherein the pesticidal material obtainable from *B. thuringiensis* comprises the delta endotoxin.

Claim 57 (withdrawn) A method as claimed in claim 51, wherein the composition further comprises an agriculturally acceptable carrier.

Claim 58 (withdrawn) A method as claimed in claim 57, wherein the carrier comprises items of insect diet.

Claim 59-61 (cancelled)

Claim 62 (currently amended): A composition according to claim 59 71 which comprises a further pesticidal material not obtainable from *Xenorhabdus*.

BEST AVAILABLE COPY

Claim 63 (previously presented): A composition according to claim 62 wherein the said further pesticidal material comprises a material obtainable from *B. thuringiensis*.

Claim 64 (previously presented): A composition according to claim 63 which further comprises cells of *B. thuringiensis*.

Claim 65 (previously presented): A composition according to claim 64 wherein the pesticidal material obtainable from *B. thuringiensis* comprises the delta endotoxin.

Claim 66 (previously presented): A composition according to claim 65 which further comprises an agriculturally acceptable carrier.

Claim 67 (previously presented): A composition according to claim 66, wherein the carrier comprises items of insect diet.

Claim 68 (currently amended): A method for killing or controlling insect pests, which method comprises administering to a pest or the environment thereof a composition according to claim 59 71.

Claim 69 (previously presented): A method according to claim 68, wherein the pests are insects from the order Lepidoptera or Diptera.

Claim 70 (currently amended): A method for killing or controlling

BEST AVAILABLE COPY

insect pests, which method comprises administering orally to the insect a composition according to claim ~~59~~ 71.

Claim 71 (New): A composition comprising at least one of cells, and a cellular extract of *Xenorhabdus nematophilus* species selected from the group consisting of NCIMB 40886 and NCIMB 40887, said cells and said cellular extract having toxic activity when administered orally to an insect.

BEST AVAILABLE COPY